

REMARKS

Reconsideration of this application, as amended, is earnestly requested.

Claims 13, 17-18, 21, 25-26, 31, 35-36, 41, and 44-45 are amended in this paper as shown above; claims 16, 20, 22-24, 28-30, 32-34, 38-40, 42-43, 47-50, and 61-62 are cancelled in this paper without prejudice; and claims 1-12, 14-15, 19, 27, 37, 46, and 51-60 previously have been cancelled without prejudice

Claims 13, 16-18, 20-26, 28-36, 38-45, 47-50, 61 and 62 stand rejected under 35 U.S.C. §102(b) as being anticipated by Heo (US 6,563,840) and claims 13, 16, 20-26, 28-36, 38-45, 47-50, 61 and 62 separately under 35 U.S.C. §102(e) as being anticipated by Lee et al. (US 2002/0051442). Claims 17-18, 25-26, 35-36, and 44-45 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Lee in view of Chandler et al. (US 5,909,561). These rejections are respectfully traversed.

Applicant believes the rejections with respect to claims 16, 20, 22-24, 28-30, 32-34, 38-40, 42-43, 47-50, and 61-62 are now moot, the claims having been cancelled.

Heo is directed to a method for transmitting and receiving a broadcast message in a communication system wherein a message is transmitted over the paging channel. Specifically, Heo teaches that if insufficient space is available on the paging channel to transmit a message, the message may be decomposed into up to three messages and transmitted serially and recomposed at a mobile station. See, col. 6: 3-15.

In Heo, the first information indicates the position of the second information. The second information includes decomposed message. The broadcast short message is decomposed into several segments. The first information of Heo indicates the arranged locations according to the order of being transmitted of transmission of the decomposed segments.

However, in the present invention, the first information informs arrival of a broadcasting short message and the second information indicates position of a specified slot of paging channel.

The present invention can avoid the CDMA system repeatedly sending a data burst message which includes a broadcast short message to all slots during a paging period. A mobile station searches a specified slot of a paging channel for the paging period. Therefore, the present invention prevents the CDMA system from being burdened.

The present invention avoids the mobile station searching for a separate broadcast slot to determine whether the broadcast short message has been transmitted or not.

Heo fails to disclose the indication of the arrival of the broadcast short message from the CDMA system to the mobile device. Heo teaches the mobile station monitors the allocated paging channel slots when the mobile station is configured so as to receive the broadcast short message (col. 7: 1-3). The mobile station which can receive the broadcast messages watches the paging channel that is its own control channel (col. 8: 53-57). The mobile station receives the general page message including the broadcast addresses by the reference slot for the broadcast message.

Lee fails to teach the first information of the independent claims. Referring to Lee, paragraph 0009, “[s]pecifically, when all of the broadcast messages is able to be transmitted to be sent on one slot, the broadcast message is transmitted on a first slot of a burst paging cycle.” Therefore, in Lee, when the broadcast message can be transmitted in a single slot, there is a defined position for that message, the first slot of a burst paging channel. Therefore, no first information is being transmitted or received by Lee, only the broadcast message. There is no need for a first information to inform the arrival of a short broadcast message or a second information to inform of the slot of the short broadcast

message. The position of the message is predetermined, and a first and a second information is not transmitted.

As set forth in MPEP 2131, to anticipate a claim, the reference must teach every element of the claim. Since, as discussed above, every element of independent claims 13, 21, 31, and 41 is not taught by either Heo or Lee, applicants submit that these claims are not anticipated by Heo or Lee and are therefore allowable. Additionally, dependent claims 17-18, 25-26, 35-36, and 44-45 are patentable at least by virtue of dependence from a patentable independent claim.

CONCLUSION

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain at issue which the Examiner feels may be best resolved through a telephone interview, the Examiner is kindly invited to contact the undersigned at (213) 623-2221.

Respectfully submitted,
Lee, Hong, Degerman, Kang & Schmadeka

Date: April 4, 2008

By: _____



Craig W. Schmoyer
Registration No. 51,007
Attorney for Applicant(s)

Customer No. 035884